IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO. 723 OF 2004

In the matter of Sections 433, 434 and 439 of the Companies Act, 1956;

AND

In the matter of M/s Anchor Packaging Pivate Limited.

Shabbirhusein Jakirhusein. .. Petitioner

Mr.T.N. Tripathi for petitioner.

None present for the company.

..

CORAM : S.U. KAMDAR, J.

DATE : 10TH DECEMBER,2004.

P.C.

1. The present petition is filed on the ground that the company is unable to pay its debt under section 434 of the Companies Act, 1956. The petitioners are claiming a sum of Rs. 70,484.32. Accordingly, a statutory notice was duly issued on 20.3.2003 and was duly served. However, there is no

reply to the statutory notice. The present petition is filed in September, 2003. The petition is served on the company. Nobody has filed appearance on behalf of the company. Affidavit of service dated 16.10.2003 is taken on record.

2. In the aforesaid circumstances the petition stands admitted and is made returnable on 25.2.2005.

3. The petition shall be advertised in Free Press Journal, Nav Shakti and Maharashtra Government Gazette at the costs of the Petitioner. The Petitioner shall in addition deposit a sum of Rs. 2,000/- towards costs.